

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
---	---

In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
 filed in the U.S. District Court _____ on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 10-05447 BZ	DATE FILED 12/1/2010	U.S. DISTRICT COURT Northern District of California, San Francisco
PLAINTIFF RAMBUS INC		DEFENDANT MEDIATEK INC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 See Complaint		
2 6 Pat.		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Richard W. Wicking	(BY) DEPUTY CLERK Mark J. Jenkins	DATE December 2, 2010
-----------------------------	--------------------------------------	--------------------------

Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
 Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

1 using, offering to sell, selling (directly or through intermediaries), and/or importing Accused
2 Products consisting of or including SDR, DDR-type, and/or GDDR-type memory controllers, and
3 mobile and/or low power versions thereof, in this district and elsewhere in the United States, and/or
4 (2) has contributed to the literal infringement and/or infringement under the doctrine of equivalents
5 of claims of the '195 Patent, and/or has actively induced others to infringe claims of the '195 Patent,
6 literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

7 COUNT III

8 (Patent Infringement of U.S. Patent No. 6,260,097 9 Under 35 U.S.C. § 271, *et. seq.*)

10 45. Rambus incorporates by reference and realleges paragraphs 1 through 44 above as
11 though fully restated herein.

12 46. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has
13 infringed claims of the '097 Patent, literally and/or under the doctrine of equivalents, by making,
14 using, offering to sell, selling (directly or through intermediaries), and/or importing Accused
15 Products consisting of or including DDR-type and/or GDDR-type memory controllers, and mobile
16 and/or low power versions thereof, in this district and elsewhere in the United States, and/or (2) has
17 contributed to the literal infringement and/or infringement under the doctrine of equivalents of
18 claims of the '097 Patent, and/or has actively induced others to infringe claims of the '097 Patent,
19 literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

20 COUNT IV

21 (Patent Infringement of U.S. Patent No. 6,304,937 22 Under 35 U.S.C. § 271, *et. seq.*)

23 47. Rambus incorporates by reference and realleges paragraphs 1 through 46 above as
24 though fully restated herein.

25 48. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has
26 infringed claims of the '937 Patent, literally and/or under the doctrine of equivalents, by making,
27 using, offering to sell, selling (directly or through intermediaries), and/or importing Accused
28 Products consisting of or including DDR-type and/or GDDR-type memory controllers, and mobile
and/or low power versions thereof, in this district and elsewhere in the United States, and/or (2) has

1 contributed to the literal infringement and/or infringement under the doctrine of equivalents of
2 claims of the '937 Patent, and/or has actively induced others to infringe claims of the '937 Patent,
3 literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

4 **COUNT V**

5 **(Patent Infringement of U.S. Patent No. 6,426,916
Under 35 U.S.C. § 271, *et. seq.*)**

6 49. Rambus incorporates by reference and realleges paragraphs 1 through 48 above as
7 though fully restated herein.

8 50. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has
9 infringed claims of the '916 Patent, literally and/or under the doctrine of equivalents, by making,
10 using, offering to sell, selling (directly or through intermediaries), and/or importing Accused
11 Products consisting of or including SDR, DDR-type, and/or GDDR-type memory controllers, and
12 mobile and/or low power versions thereof, in this district and elsewhere in the United States, and/or
13 (2) has contributed to the literal infringement and/or infringement under the doctrine of equivalents
14 of claims of the '916 Patent, and/or has actively induced others to infringe claims of the '916 Patent,
15 literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

16 **COUNT VI**

17 **(Patent Infringement of U.S. Patent No. 6,584,037
Under 35 U.S.C. § 271, *et. seq.*)**

18 51. Rambus incorporates by reference and realleges paragraphs 1 through 50 above as
19 though fully restated herein.

20 52. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has
21 infringed claims of the '037 Patent, literally and/or under the doctrine of equivalents, by making,
22 using, offering to sell, selling (directly or through intermediaries), and/or importing Accused
23 Products consisting of or including DDR2 and/or GDDR3 memory controllers, and mobile and/or
24 low power versions thereof, in this district and elsewhere in the United States, and/or (2) has
25 contributed to the literal infringement and/or infringement under the doctrine of equivalents of
26 claims of the '037 Patent, and/or has actively induced others to infringe claims of the '037 Patent,
27 literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT VII

**(Patent Infringement of U.S. Patent No. 6,715,020
Under 35 U.S.C. § 271, *et. seq.*)**

53. Rambus incorporates by reference and realleges paragraphs 1 through 52 above as though fully restated herein.

54. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed claims of the '020 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling (directly or through intermediaries), and/or importing Accused Products consisting of or including SDR, DDR-type, and/or GDDR-type memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed to the literal infringement and/or infringement under the doctrine of equivalents of claims of the '020 Patent, and/or has actively induced others to infringe claims of the '020 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

COUNT VIII

**(Patent Infringement of U.S. Patent No. 6,751,696
Under 35 U.S.C. § 271, *et. seq.*)**

55. Rambus incorporates by reference and realleges paragraphs 1 through 54 above as though fully restated herein.

56. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed and continues to infringe claims of the '696 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling (directly or through intermediaries), and/or importing Accused Products consisting of or including DDR-type and/or GDDR-type memory controllers, and mobile and/or low power versions thereof, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of claims of the '696 Patent, and/or has actively induced and continues to actively induce others to infringe claims of the '696 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT IX

**(Patent Infringement of U.S. Patent No. 7,209,997
Under 35 U.S.C. § 271, *et. seq.*)**

57. Rambus incorporates by reference and realleges paragraphs 1 through 56 above as though fully restated herein.

58. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed and continues to infringe claims of the '997 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling (directly or through intermediaries), and/or importing Accused Products consisting of or including SDR, DDR-type, and/or GDDR-type memory controllers, and mobile and/or low power versions thereof, in this district and elsewhere in the United States; and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of claims of the '997 Patent, and/or has actively induced and continues to actively induce others to infringe claims of the '997 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

COUNT X

**(Patent Infringement of U.S. Patent No. 6,591,353
Under 35 U.S.C. § 271, *et. seq.*)**

59. Rambus incorporates by reference and realleges paragraphs 1 through 58 above as though fully restated herein.

60. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed and continues to infringe claims of the '353 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling (directly or through intermediaries), and/or importing Accused Products consisting of or including DDR-type and/or GDDR-type memory controllers, and mobile and/or low power versions thereof, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of claims of the '353 Patent, and/or has actively induced and continues to actively induce others to infringe claims of the '353 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNT XI

**(Patent Infringement of U.S. Patent No. 7,287,109
Under 35 U.S.C. § 271, *et. seq.*)**

61. Rambus incorporates by reference and realleges paragraphs 1 through 60 above as though fully restated herein.

62. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed and continues to infringe claims of the '109 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling (directly or through intermediaries), and/or importing Accused Products consisting of or including DDR-type and/or GDDR-type memory controllers, and mobile and/or low power versions thereof, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of claims of the '109 Patent, and/or has actively induced and continues to actively induce others to infringe claims of the '109 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

VI.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Rambus asks this Court to enter judgment in its favor against MediaTek and grant the following relief:

A. An adjudication that MediaTek has infringed and continues to infringe the Asserted Patents as alleged above;

B. An accounting of all damages sustained by Rambus as a result of MediaTek's acts of infringement of the Asserted Patents;

C. An award to Rambus of actual damages adequate to compensate Rambus for MediaTek's acts of patent infringement, together with prejudgment and postjudgment interest;

D. An award to Rambus of enhanced damages, up to and including trebling of Rambus's damages pursuant to 35 U.S.C. § 284 for MediaTek's willful infringement of the Asserted Patents;

1 E. An award of Rambus's costs of suit and reasonable attorneys' fees pursuant to 35
2 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law;

3 F. A grant of a permanent injunction pursuant to 35 U.S.C. § 283, enjoining
4 MediaTek, and each of its agents, servants, employees, principals, officers, attorneys, successors,
5 assignees, and all those in active concert or participation with MediaTek, including related
6 individuals and entities, customers, representatives, OEMs, dealers, and distributors from further acts
7 of (1) infringement, (2) contributory infringement, and (3) active inducement to infringe with respect
8 to the claims of the Asserted Patents;

9 G. Any further relief that this Court deems just and proper.

10 **VII.**

11 **JURY DEMAND**

12 Plaintiff Rambus requests a jury trial on all issues triable to a jury in this matter.

13
14 Respectfully Submitted,

15 MUNGER, TOLLES & OLSON LLP

16 DATED: December 1, 2010

17 By: Peter A. Detre

PETER A. DETRE

18 Attorneys for Plaintiff
19 RAMBUS INC.
20
21
22
23
24
25
26
27
28

COPY

1 GREGORY P. STONE (SBN 078329)

gregory.stone@mto.com

2 HEATHER E. TAKAHASHI (SBN 245845)

heather.takahashi@mto.com

3 MUNGER, TOLLES & OLSON LLP

4 355 South Grand Avenue, 35th Floor

Los Angeles, CA 90071-1560

5 Telephone: (213) 683-9100

6 Facsimile: (213) 687-3702

7 PETER A. DETRE (SBN 182619)

peter.detre@mto.com

8 MUNGER, TOLLES & OLSON LLP

560 Mission Street, 27th Floor

9 San Francisco, CA 94105

10 Telephone: (415) 512-4000

Facsimile: (415) 512-4077

11 Attorneys for Plaintiff

12 RAMBUS INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 RAMBUS INC.,

16 Plaintiff,

17 v.

18 MEDIATEK INC.,

19 Defendant.
20
21
22
23
24
25
26
27
28

ORIGINAL
FILED

2010 DEC -1 P 3:59

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

BZ

10
CASE NO.

5447

COMPLAINT FOR PATENT
INFRINGEMENT

DEMAND FOR JURY TRIAL

1 Plaintiff Rambus Inc. ("Rambus") states the following as its Complaint against Defendant
2 MediaTek Inc. ("MediaTek"):

3 I.

4 **THE PARTIES**

5 1. Plaintiff Rambus is a Delaware corporation with its principal place of business at
6 1050 Enterprise Way, Sunnyvale, California 94089.

7 2. Rambus is informed and believes, and thereupon alleges, that defendant MediaTek is
8 a Taiwan corporation with its principal place of business at No. 1, Dusing Road 1, Hsinchu Science
9 Park, Hsin-Chu, Taiwan 30078, R.O.C. Upon information and belief, MediaTek has substantial
10 contacts and transacts substantial business, either directly or through its agent, on an ongoing basis
11 in this judicial district and elsewhere in the United States.

12 3. Unless specifically stated otherwise, the acts complained of herein were committed
13 by, on behalf of, and/or for the benefit of MediaTek.

14 II.

15 **NATURE OF THE ACTION**

16 4. This is an action for patent infringement.

17 5. Rambus is informed and believes, and thereupon alleges, that MediaTek has been
18 and/or is infringing, contributing to the infringement of, and/or actively inducing others to infringe
19 claims of U.S. Patent No. 6,034,918 (the "'918 Patent"), U.S. Patent No. 6,038,195 (the "'195
20 Patent"), U.S. Patent No. 6,260,097 (the "'097 Patent"), U.S. Patent No. 6,304,937 (the "'937
21 Patent"), U.S. Patent No. 6,426,916 (the "'916 Patent"), U.S. Patent No. 6,584,037 (the "'037
22 Patent"), U.S. Patent No. 6,591,353 (the "'353 Patent"), U.S. Patent No. 6,715,020 (the "'020
23 Patent"), U.S. Patent No. 6,751,696 (the "'696 Patent"), U.S. Patent No. 7,209,997 (the "'997
24 Patent"), and U.S. Patent No. 7,287,109 (the "'109 Patent") (collectively the "Asserted Patents").
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

III.

JURISDICTION AND VENUE

6. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

7. This Court has personal jurisdiction over MediaTek because MediaTek has substantial contacts and conducts business in the State of California and in this judicial district, and has been infringing, contributing to the infringement of and/or actively inducing others to infringe claims of the Asserted Patents in California and elsewhere.

8. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d) and/or 1400(b) because a substantial part of the events giving rise to Rambus's claims occurred in the Northern District of California and because MediaTek is subject to personal jurisdiction in the Northern District of California.

IV.

FACTUAL BACKGROUND

A. Rambus

9. Rambus is one of the world's leading designers of semiconductor interface technologies that are used in a broad range of consumer, computing, and communications applications. In addition to the development of high-speed interfaces, Rambus's breakthrough technology and unparalleled engineering expertise have solved the most challenging interface problems and have brought industry-leading products to market. Rambus's interface solutions have enabled state-of-the-art performance in many products, such as personal computers, workstations, servers, gaming consoles, televisions, Blu-ray players, set-top boxes, printers, video projectors, network switches, modems, routers, mobile phones, and graphics cards.

10. In the late 1980s, Michael Farmwald and Mark Horowitz, the founders of Rambus, recognized and set out to solve the "memory bottleneck problem," the failure of memory interfaces to keep pace with the exponential growth in microprocessor speed. Farmwald and Horowitz's inventions enabled a dynamic random access memory (DRAM) memory architecture that achieved

1 data transmission rates of 500 megahertz, at a time when other DRAM chips were running in the
2 range of 20-30 megahertz.

3 11. Since its founding in 1990, Rambus has continued to design, develop, market, and
4 license its high speed interface technology. Rambus's inventions include new memory devices, new
5 controllers for controlling such memory devices, and new systems incorporating those memory
6 devices and memory controllers. Rambus's inventions also include new transmitters and receivers
7 and interface technology.

8 12. Rambus has made large-scale investments in the exploitation of its technology and a
9 large number of companies have paid for licenses to its patents. Rambus has granted licenses of
10 varying scope to its technology to many of the world's largest semiconductor manufacturers.

11 13. Since 1990, Rambus has spent millions of dollars on research and development of its
12 valuable technology. Rambus relies on the United States patent system to protect the technology
13 resulting from its research and development. Rambus's continued success depends on its research
14 and development of memory interface and other solutions, as well as the protection of intellectual
15 property in its innovative technology.

16 **B. Asserted Patents**

17 14. On April 18, 1990, U.S. Patent Application No. 07/510,898 was filed naming Michael
18 Farmwald and Mark Horowitz as inventors. The Asserted Patents claiming priority to this
19 application are referred to herein as the "Farmwald/Horowitz Patents."

20 15. On October 19, 1995, U.S. Patent Application No. 08/545,292 was filed naming
21 Richard M. Barth and other individuals as inventors. The Asserted Patents claiming priority to this
22 application are referred to herein as the "Barth Patents."

23 **1. Farmwald/Horowitz Patents**

24 16. On March 7, 2000, U.S. Patent No. 6,034,918, titled "Method of Operating a Memory
25 Having a Variable Data Output Length and a Programmable Register," was duly and legally issued
26 to Rambus, as assignee of named inventors Michael Farmwald and Mark Horowitz.

1 17. On March 14, 2000, U.S. Patent No. 6,038,195, titled "Synchronous Memory Device
2 Having a Delay Time Register and Method of Operating Same," was duly and legally issued to
3 Rambus, as assignee of named inventors Michael Farmwald and Mark Horowitz.

4 18. On July 10, 2001, U.S. Patent No. 6,260,097, titled "Method and Apparatus for
5 Controlling a Synchronous Memory Device," was duly and legally issued to Rambus, as assignee of
6 named inventors Michael Farmwald and Mark Horowitz.

7 19. On October 16, 2001, U.S. Patent No. 6,304,937, titled "Method of Operation of a
8 Memory Controller," was duly and legally issued to Rambus, as assignee of named inventors
9 Michael Farmwald and Mark Horowitz.

10 20. On July 30, 2002, U.S. Patent No. 6,426,916, titled "Memory Device Having a
11 Variable Data Output Length and a Programmable Register," was duly and legally issued to
12 Rambus, as assignee of named inventors Michael Farmwald and Mark Horowitz.

13 21. On June 24, 2003, U.S. Patent No. 6,584,037, titled "Memory Device Which Samples
14 Data After an Amount of Time Expires," was duly and legally issued to Rambus, as assignee of
15 named inventors Michael Farmwald and Mark Horowitz.

16 22. On March 30, 2004, U.S. Patent No. 6,715,020, titled "Synchronous Integrated
17 Circuit Device," was duly and legally issued to Rambus, as assignee of named inventors Michael
18 Farmwald and Mark Horowitz.

19 23. On June 15, 2004, U.S. Patent No. 6,751,696, titled "Memory Device Having a
20 Programmable Register," was duly and legally issued to Rambus, as assignee of named inventors
21 Michael Farmwald and Mark Horowitz.

22 24. On April 24, 2007, U.S. Patent No. 7,209,997, titled "Controller Device and Method
23 for Operating Same," was duly and legally issued to Rambus, as assignee of named inventors
24 Michael Farmwald and Mark Horowitz.

25 25. The Farmwald/Horowitz Patents include claims directed to improving the
26 performance of memory controllers.

27 26. At all relevant times, Rambus has been the owner of the entire right, title, and interest
28 in each of the Farmwald/Horowitz Patents.

1 **2. Barth Patents**

2 27. On July 8, 2003, U.S. Patent No. 6,591,353, titled "Protocol for Communication with
3 Dynamic Memory," was duly and legally issued to Rambus, as assignee of Richard M. Barth and the
4 other inventors named therein.

5 28. On October 23, 2007, U.S. Patent No. 7,287,109, titled "Method of Controlling a
6 Memory Device Having a Memory Core," was duly and legally issued to Rambus, as assignee of
7 Richard M. Barth and the other inventors named therein.

8 29. The Barth Patents include claims directed to improving the performance of memory
9 controllers.

10 30. At all relevant times, Rambus has been the owner of the entire right, title, and interest
11 in each of the Barth Patents.

12 **C. MediaTek's Acts of Infringement**

13 31. Rambus is informed and believes, and thereupon alleges, that MediaTek has made,
14 used, sold, imported and/or offered for sale, and/or continued to make, use, sell, import and/or offer
15 for sale, products in the United States consisting of or including DRAM memory controllers,
16 including SDR (Single Data Rate) memory controllers, DDR-type memory controllers (including
17 DDR or Double Data Rate memory controllers, and DDR2 or Double Data Rate 2 memory
18 controllers), GDDR-type memory controllers (including GDDR3 or Graphic Double Data Rate 3
19 memory controllers), and mobile and/or low power versions of the aforementioned memory
20 controllers.

21 32. The aforementioned MediaTek products are hereinafter referred to collectively as the
22 "Accused Products." The Accused Products include at least products that are part of, for example,
23 MediaTek's Digital Consumer DVD, DTV, and PC Optical Storage Drive product lines.

24 33. MediaTek's making, use, sale, offers for sale, and/or importation of the Accused
25 Products in the United States constitute acts of direct infringement of the Asserted Patents.

26 34. In November 2005, Rambus contacted MediaTek to discuss licensing of Rambus
27 patents. On or about December 15, 2005, Rambus provided information to MediaTek regarding the
28

1 infringement of the '918 Patent, the '195 Patent, the '097 Patent, the '937 Patent, the '916 Patent, the
2 '020 Patent, and the '696 Patent by MediaTek products.

3 35. Rambus is informed and believes, and thereupon alleges, that MediaTek's knowing
4 infringement has continued despite further information regarding infringement provided by Rambus
5 in the course of attempting to negotiate a license with MediaTek that would fairly compensate
6 Rambus for MediaTek's use of patents owned by Rambus. For example, on or about March 27,
7 2006, Rambus provided further information to MediaTek regarding the infringement of the '918
8 Patent, the '195 Patent, the '097 Patent, the '937 Patent, the '916 Patent, the '020 Patent, and the
9 '696 Patent by MediaTek products.

10 36. Rambus is informed and believes, and thereupon alleges, that MediaTek has sold or
11 offered to sell its Accused Products to third parties who incorporate the Accused Products into their
12 own products. Those third parties in turn have made, used, sold, offered for sale, and/or imported
13 and/or continue to make, use, sell, offer for sale, and/or import their own products in the United
14 States. These activities undertaken by the third parties constitute acts of direct infringement of the
15 Asserted Patents. The memory controllers in MediaTek's Accused Products are known by
16 MediaTek to be especially made or especially adapted for use in infringement of the Asserted
17 Patents and are not staple articles or commodities of commerce suitable for substantial non-
18 infringing use. MediaTek has thereby contributed to and continues to contribute to the infringement
19 of the Asserted Patents.

20 37. Rambus is informed and believes, and thereupon alleges, that, by its sales and/or
21 offers for sale of the Accused Products to third parties, MediaTek also has induced and continues to
22 induce acts by third parties that MediaTek knew or should have known would constitute direct
23 infringement of the Asserted Patents. MediaTek actively induces infringement of the Asserted
24 Patents by designing the Accused Products to be capable of infringement and by promoting and
25 encouraging the use of its products by the third parties in ways that infringe the Asserted Patents.

26 38. Rambus is entitled to recover from MediaTek the actual damages it sustained as a
27 result of MediaTek's wrongful acts alleged herein under 35 U.S.C. § 284 in an amount to be proven
28 at trial, together with interest and costs.

39. Rambus is informed and believes, and thereupon alleges, that MediaTek's infringement of the Asserted Patents as set forth herein has been and is willful, deliberate and in disregard of the patent rights of Rambus, and Rambus is therefore entitled to increased damages up to three times the amount of actual damages and attorneys' fees, pursuant to 35 U.S.C. §§ 284, 285.

40. MediaTek's infringement of the Asserted Patents will continue to damage Rambus, causing irreparable harm for which there is no adequate remedy at law, unless it is enjoined by this Court.

V.

CLAIMS FOR RELIEF

COUNT I

**(Patent Infringement of U.S. Patent No. 6,034,918
Under 35 U.S.C. § 271, *et seq.*)**

41. Rambus incorporates by reference and realleges paragraphs 1 through 40 above as though fully restated herein.

42. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed claims of the '918 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling (directly or through intermediaries), and/or importing Accused Products consisting of or including SDR, DDR-type, and/or GDDR-type memory controllers, and mobile and/or low power versions thereof, in this district and elsewhere in the United States, and/or (2) has contributed to the literal infringement and/or infringement under the doctrine of equivalents of claims of the '918 Patent, and/or has actively induced others to infringe claims of the '918 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

COUNT II

**(Patent Infringement of U.S. Patent No. 6,038,195
Under 35 U.S.C. § 271, *et. seq.*)**

43. Rambus incorporates by reference and realleges paragraphs 1 through 42 above as though fully restated herein.

44. Rambus is informed and believes, and thereupon alleges, that MediaTek: (1) has infringed claims of the '195 Patent, literally and/or under the doctrine of equivalents, by making,